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Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

MILISSA NEILSON, an individual,

Plaintiff(s),

v.

UNIVERSITY OF UTAH HEALTH
HOSPITALS AND CLINICS, a governmental
entity, DOES 1-10, individuals,

Defendant.

**NOTICE OF REMOVAL OF A CIVIL
ACTION FROM STATE COURT TO
FEDERAL COURT**

Case No. 2:21-cv-00293-TC

Judge Tena Campbell

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. §§ 1331, 1446, and 1447(a), Defendants University of Utah Health Hospitals and Clinics (“Defendants”) remove the above-titled action from the Third Judicial District Court, in and for Salt Lake County, State of Utah to this Court. This notice of, and petition for removal, is made pursuant to 28 U.S.C. §§ 1441 et seq. and 1446 et seq. and is proper and appropriate based upon the following:

1. On April 16, 2021, Plaintiff served a Complaint and Summons on Defendant University of Utah Hospitals and Clinics for this matter entitled, Milissa Neilson v. University of Utah Hospitals and Clinics, Does 1-10, Civil No. 200906698, Third Judicial District Court in and for Salt Lake County, State of Utah. A copy of the Summons and Complaint is attached as **Exhibit A**.
2. The Plaintiff alleged that she is entitled to relief because the Defendants violated Title II of the Americans with Disabilities Act, 42 U.S.C. § 12132 *et seq.* (the “ADA”). Pl.’s Compl. ¶¶ 34-40. The Complaint is attached as **Exhibit B**.
3. Plaintiff also alleges common law claims of negligence, breach of fiduciary duty, and defamation. **Exh. B.**
4. There are no other named defendants in the Complaint. **Exh. B.**
5. Jurisdiction is vested in this Court because this matter involves a involves question of federal law under 28 U.S.C. § 1331 because Plaintiff has alleged that the Defendants violated the ADA.
6. Removal of this action is proper under 28 U.S.C. § 1441(c) because Plaintiff raises a claim arising under the laws of the United States and additional claims that are not rendered nonremovable by statute.
7. This Notice of Removal has been filed within thirty (30) days after service of the Complaint on the Defendants, as required by 28 U.S.C. 1446(b)(1).
8. The Defendants have, or will, file their responsive pleading to the Complaint in accordance with Fed. R. Civ. P. Rule 81(c).

RESPECTFULLY SUBMITTED THIS 7th day of May, 2021.

SEAN D. REYES
Utah Attorney General

/s/ Michael A. Stahler
MICHAEL A. STAHLER
KYLE J. KAISER
Assistant Utah Attorneys General
Attorney for Defendants

CERTIFICATE OF SERVICE

I certify that on this 7th day of May, 2021, I served the foregoing **NOTICE OF REMOVAL OF A CIVIL ACTION FROM STATE COURT TO FEDERAL COURT** on the following by using the Court's electronic filing system.

Karthik Nadesan
8 East Broadway, Ste. 625
Salt Lake City, UT 84111
karthik@nadesanbeck.com

Chris Davies,
Clerk of the Court
Third Judicial District Court
Salt Lake District Court
P.O. Box 1860
Salt Lake City, UT 84114-1860
(Notice Filed using the Court's Electronic Filing System)

/s/ Sheri D. Bintz